

STATUTORY WARRANTY DEED

This instrument was prepared by

Send Tax Notice To: Marla S. Abernathy

(Name) Larry L. Halcomb
3512 Old Montgomery Highway
 (Address) Birmingham, Alabama 35209

name
3409 Crossings Glen
 address
Birmingham, AL 35242

Corporation Form Warranty Deed


 20031201000777400 Pg 1/2 63.00
 Shelby Cnty Judge of Probate, AL
 12/01/2003 10:45:00 FILED/CERTIFIED

STATE OF ALABAMA)
)
 COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of TWO HUNDRED FORTY FOUR THOUSAND TWO HUNDRED SEVENTY SIX AND 50/100 (244,276.50)

to the undersigned grantor, Harbar Construction Company, Inc.

a corporation

(herein referred to as GRANTOR) in hand paid by the grantee herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto Marla S. Abernathy

(herein referred to as GRANTEE, whether one or more), the following described real estate, situated in Shelby County, Alabama to-wit:

Lot 134, according to the Survey of Phase Three, Caldwell Crossings 2nd Sector, as recorded in Map Book 31, Page 32, in the Probate Office of Shelby County, Alabama.

Minerals and mining rights, together with release of damages, excepted.

Subject to taxes for 2004.

Subject to right of way granted to Shelby County recorded in Volume 233, Page 700; Volume 216, Page 29 and Volume 282, Page 115.

Subject to right of way granted to Alabama Power Company recorded in Real Volume 142, Page 148 and Real Volume 142, Page 148.

Subject to right of way granted the City of Hoover recorded in Inst. No. 2000-40742, Inst. No. 2000-40741 and Inst. No. 2000-25988.

Subject to restrictions and covenants appearing of record in Inst. No. 2002-02381.

Subject to easement of undetermined size along rear of lot as shown on recorded map.

Subject to conditions on attached Exhibit "A".

\$ 195,400.00 of the purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD, To the said GRANTEE, his, her or their heirs and assigns forever.

IN WITNESS WHEREOF, the said GRANTOR by its President, B. J. Harris who is authorized to execute this conveyance, hereto set its signature and seal,

this the 17th day of November, 19 2003

ATTEST:

Harbar Construction Company, Inc.

By 
 B. J. Harris, President

STATE OF ALABAMA)
)
 COUNTY OF JEFFERSON)
 I, Larry L. Halcomb,

a Notary Public in and for said County, in said State,

hereby certify that B. J. Harris

whose name as President of Harbar Construction Company, Inc., a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 17th day of November, 19 2003.

My Commission Expires January 23, 20 06

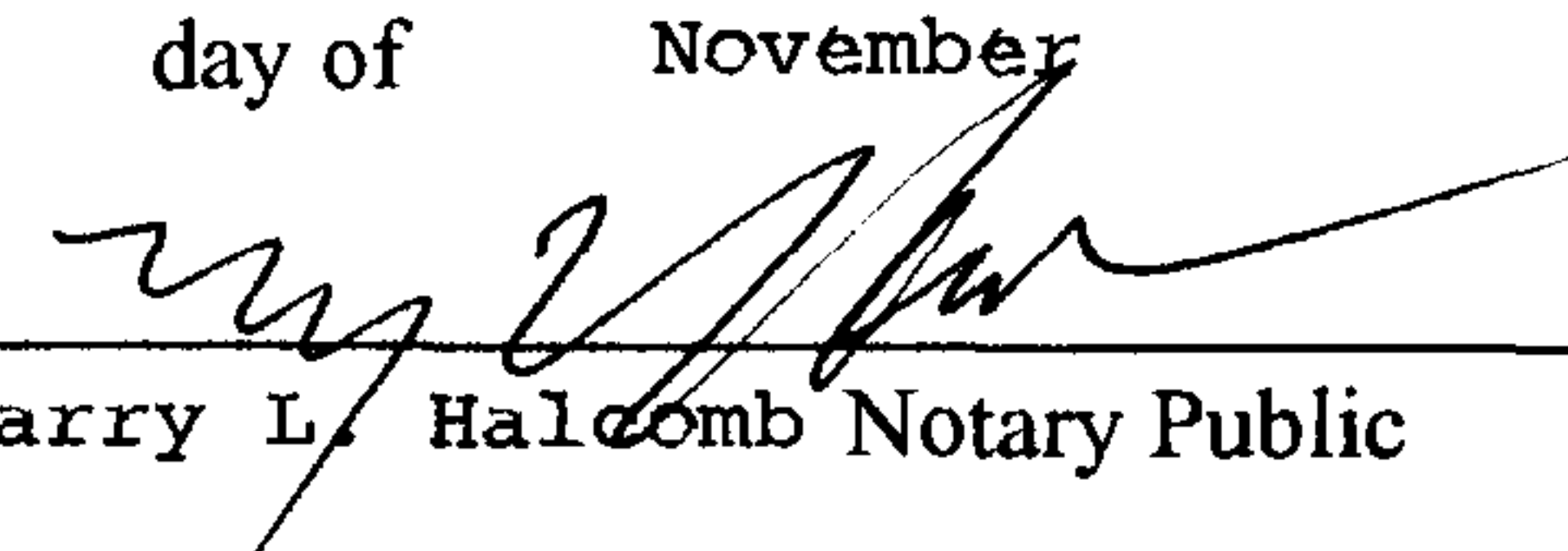

 Larry L. Halcomb Notary Public

EXHIBIT "A"

This conveyance is made with the express reservation and condition that Grantees, for themselves and on behalf of their heirs, administrators, executors, successors, assigns, contractors, permittees, licensees and lessees, hereby release and forever discharge Grantor from any and all liability, claims and causes of action, whether arising at law (by contract or in tort) or in equity with respect to damage or destruction of property and injury to or death of any person located in, on, or under the surface of or over the property herein conveyed, as the case may be, which are caused by, or arise as a result of, past, present, or future soil, subsoil, or other conditions (including, without limitation, sinkholes, underground mines, subsurface waters, and limestone formations) under or on the subject property, whether contiguous or non-contiguous. Grantees acknowledge that they have made their own independent inspections and investigations of the subject property and are purchasing the subject property in reliance upon such inspections and investigations. For purposes of this paragraph, Grantor shall mean and refer to the members, managers, agents, employees, successors, assigns, members, owners, managers, partners, officers and contractors of Grantor and any successors and assigns of Grantor.